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**PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED DUE TO PATENT OFFICE ERROR**

First named inventor: Hubbell, et al.

App. No.: 09/811,901

Filed: March 19, 2001

Title: GELS FOR ENCAPSULATION
OF BIOLOGICAL MATERIALS

Examiner: Berman, Susan W.

Group Art Unit: 1711

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Mail Stop DAC, Alexandria, VA 22313-1450, on

July 16, 2004

(Date)
Che S. Chereskin
Che Swyden Chereskin, Reg. No. 41,466

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTN: Mail Stop DAC

The above-identified application became abandoned for failure to file a timely and proper response to the Office Letter mailed on March 24, 2004. This abandonment was unavoidable because the Office Letter of March 24, 2004 was sent to the wrong address and was never received by Applicants. The abandonment date of this application was May 25, 2004 (i.e., the day after the expiration of the date of the period set for response).

Applicants' representative received a Notice of Abandonment on July 6, 2004. This was surprising since the Issue Fee had already been paid on January 20, 2004 and Applicants believed that the application was in good order. The drawings had been indicated as acceptable by the Examiner with the Office Action mailed on August 28, 2003, Paper No. 13 in response to Applicants' arguments that the drawings provided for Figures 2b, 4, 6, 7a, 7b, 11b, 12a, 12b and 13 were the best available. Applicants' representative then checked the PAIR site and noted that a Paper had been sent out from the Chief Draftsman with a Notice to make drawing corrections to Figures 14A-C. However, the cover page indicated that the Paper had incorrectly been mailed to another address. Apparently, Applicants' Application No. of "09/811,901" was transposed to "09/811,801" so that the Paper went to the wrong address and Applicants did not receive the Notice Regarding Drawings.

Applicants' representative has contacted both Examiner Berman and the Chief Draftsman of record, Joshua Chase by telephone. Examiner Berman stated that she was unable to withdraw the Notice of Abandonment and it is not clear if efforts made on Applicants' behalf by Chief Draftsman Chase have been successful. Applicants file this paper herewith and request

withdrawal of the Notice of Abandonment and remailing of the Notice Regarding Drawings discussed above. A copy of the Notice Regarding Drawings with cover sheet obtained from the PAIR site is attached herewith. Applicants are in the process of making the indicated corrections to Figures 14A-C and will submit these corrected drawings promptly upon revival of the application.

Applicants respectfully request revival of the above-referenced application and mailing of the Office Letter of March 24, 2004 to our Irvine Office address which is associated with Customer No. 20,995.

- (X) Prepaid Return Postcard.
- (X) Copy of Notice from PAIR site

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

July 16, 2004

By:

Che S. Chereskin

Che Swyden Chereskin

Registration No. 41,466

Agent of Record

Customer No. 20,995

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